

REMARKS

The Official Action of June 19, 2009, made final, has been carefully reviewed. The Applicant respectfully requests reconsideration of the application in view of the following remarks.

Claims 38-and 39 have been amended. Support for this amendment is found in the Specification e.g. page 21, lines 28-29, and the claims of the application as filed.

1. Claims 38-52 and 54-56 stand rejected under 35 U.S.C. 112, second paragraph, for indefiniteness.

The Examiner was concerned regarding the variable "A4" in Claim 38, 39-46 and 54. Although Applicants respectfully assert that the claims clearly describe the claimed subject matter, in the interest of compact prosecution, the definition of A4 has been recited in the claim. Support for this amendment is found on page 21, lines 28-29.

The Examiner was concerned regarding the variable "A3" in dependent Claim 39 because there was no such group recited in the independent Claim 38. Although Applicants respectfully assert that the claims clearly describe the claimed subject matter, in the interest of compact prosecution, the reference to the variable A3 has been deleted from Claim 39.

The Examiner was concerned regarding the ring "A" in dependent Claims 48-52 and 55 because the Examiner believed that there was no such group recited in formula "I-O" of the independent Claim 47. Applicants respectfully assert that the claims clearly describe the claimed subject matter. Applicants note that the ring "A" is recited in the text of Claim 47.

In particular, Claim 47 (page 8, lines 1-2 of the response submitted on April 8, 2009) recites:

A₂ represents a hydrogen and W₂ represent A₄, or A₂ and W₂ together form a ring A.

wherein ring A is selected from the group consisting of: a benzene ring, a pyridine ring, a thiophene ring, a furan ring and a pyrazine ring;

Thus, as recited in Claim 47, the ring "A" is formed by joining together the substituents "A₂ and W₂" of the formula "I-O" and is selected from the group consisting of: a benzene ring, a pyridine ring, a thiophene ring, a furan ring and a pyrazine ring.

Accordingly, the rejection of Claims 38-52 and 54-56 under 35 U.S.C. § 112, second paragraph, for indefiniteness has been overcome.

2. Applicants gratefully acknowledge that Claims 53 and 56 are allowed.

3. This Amendment is in compliance with 37 C.F.R. § 1.116 as it merely complies with a rejection as to terminology and form of the claims. The foregoing amendments do not raise issues that would require further search or consideration by the Examiner. Applicants respectfully submit that entry of this Amendment places the application in condition for allowance.

Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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Date: September 18, 2009